

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- against -

MARK GONZALEZ,

Defendant.

USDC SDNY
DOCUMENT
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21 Cr. 288 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

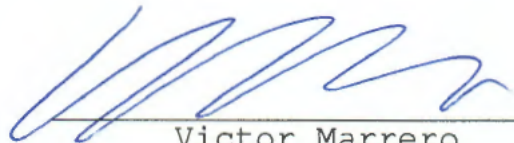
In reviewing the Government's proposed preliminary order of forfeiture ("Proposed Forfeiture Order"), the Court perceives an apparent discrepancy between the Proposed Forfeiture Order and 21 U.S.C. § 853(n) - specifically with respect to the amount of time allotted to third parties to file a petition under that subsection. Compare (Dkt. No. 185-2, ¶ 7 ("Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier." (emphasis added))), with 21 U.S.C. § 853(n)(2) ("Any person, other than the defendant, asserting a legal interest in property which has been ordered forfeited to the United States pursuant to this section may, within thirty days of the final publication of notice or his

receipt of notice under paragraph (1), whichever is earlier, petition the court for a hearing to adjudicate the validity of his alleged interest in the property." (emphasis added)).

The Government is hereby directed to file a response addressing this apparent discrepancy within three (3) days of this Order.

SO ORDERED.

Dated: 28 August 2024
New York, New York



Victor Marrero
U.S.D.J.